

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
CHATTANOOGA DIVISION**

IN RE: )  
 )  
WEEMS RESORTS, LLC, ) Case Number 1:09-bk-12115  
 ) Chapter 11  
Debtor. )

**MOTION TO DISMISS**

**NOTICE OF HEARING**

Notice is hereby given that:

A hearing will be held on **June 10, 2010 at 10:00 a.m.** in Courtroom A, U.S. Bankruptcy Court, 31 E. Eleventh Street, Chattanooga, Tennessee, on the following:

**MOTION TO DISMISS**

**If you do not want the Court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting the relief.**

As secured creditor, Northwest Georgia Bank moves to dismiss the case of Weems Resorts, LLC, Case No. 09-12115, for cause under 11 U.S.C. § 1112(b)(1) and (b)(4)(J) because this is a small business case and the Debtor failed to confirm its Second Amended Chapter 11 Plan within 45 days from its filing as required by §1129(e). Debtor also failed to request or receive an extension in accordance with 11 U.S.C. § 1121(e)(3).

Therefore, this Court should dismiss the case and allow Northwest Georgia Bank to take and foreclose on its collateral.

Respectfully submitted,

CHAMBLISS, BAHNER & STOPHEL, P. C

By: /s/ Jeffrey W. Maddux

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion to Dismiss, was filed electronically with the United States Bankruptcy Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other interested parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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Weems Resorts  
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Ringgold, GA 30736

This 20th day of May, 2010.

/s/ Jeffrey W. Maddux

Jeffrey W. Maddux

Chambliss, Bahner & Stopfel, P.C.